

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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OLIVE BRANCH ENTERPRISES, INC.,	:	
	:	
Plaintiff,	:	
	:	25-CV-240 (VSB)
-against-	:	
	:	<u>ORDER</u>
AMAZON.COM SERVICES, INC.,	:	
	:	
Defendant.	:	
	:	
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<u>VERNON S. BRODERICK, United States District Judge:</u>		


On January 10, 2025, Plaintiff Olive Branch Enterprises, Inc. filed an application for a temporary restraining order (“TRO”) seeking to enjoin Defendant Amazon.com Services, Inc. from destroying Plaintiff’s merchandise. (Doc. 2.) On January 14, 2025, I held a conference with the parties to the above-titled action. In light of the representations made on the record by counsel, I find that an imminent threat of irreparable harm does not exist at this time, which ends the TRO inquiry. *See Reuters Ltd. v. United Press Int’l, Inc.*, 903 F.2d 904, 907 (2d Cir. 1990) (“[I]rreparable harm is the single most important prerequisite for the issuance of [injunctive relief, and] the moving party must first demonstrate that such injury is likely before the other requirements for the issuance of an injunction will be considered.” (internal quotation marks omitted)). Plaintiff’s motion for a TRO is hereby DENIED. The Clerk of Court is respectfully directed to close the open motion at Docket Entry 2.

In accordance with my remarks at the conference, the parties are directed to meet and confer. By January 17, 2025, the parties are directed to submit a joint letter addressing whether the claims raised in this action should be addressed in arbitration or before this court. If the parties plan to continue in this court, the parties shall submit a stipulated briefing schedule for any anticipated motions. By January 17, 2025, Defendant is directed to submit a letter attesting

to the status of Plaintiff's property that is the subject of the injunctive relief claim, (*see* Doc. 1 at 19–20), or otherwise state its inability to so attest.

SO ORDERED.

Dated: January 14, 2025
New York, New York


Vernon S. Broderick
United States District Judge